

# JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

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FIFTY-NINTH DAY, TUESDAY, APRIL 25, 2000

Speaker Gaw in the Chair.

Prayer by Father David Buescher.

Dear God, many people sense new life at this time of the year. This House prays for that life, that progresses into the wisdom that knows ways to do the best for the most citizens. Help these men and women continue to love this state, to cherish their constituencies, to hold to true standards of freedom and democracy. May their hard work in the waning days of this session produce manifold fruits in harmony, prosperity, and good will. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jessica Schreck, Marcus Petree, Derek Lowe, Nick Clutter, Eva Stephens, Keeli Flippen, Ryan Simms and Jack Ewing.

The Journal of the fifty-eighth day was approved as corrected by the following vote:

AYES: 082

Abel	Auer	Backer	Barry 100	Bonner
Boucher 48	Boykins	Bray 84	Britt	Brooks
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hilgemann	Hollingsworth
Hoppe	Kelly 27	Kennedy	Kissell	Koller
Kreider	Lakin	Lawson	Leake	Liese
Luetkenhaus	May 108	Mays 50	McBride	McKenna
McLuckie	Merideth	Monaco	Murray	O'Connor
O'Toole	Overschmidt	Parker	Ransdall	Reynolds
Riley	Rizzo	Scheve	Schilling	Seigfreid
Selby	Shelton	Skaggs	Smith	Surface
Thompson	Treadway	Troupe	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 072

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Black	Blunt
Boatright	Burton	Champion	Chrismer	Cierpiot
Crawford	Dolan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham 106
Griesheimer	Gross	Hanaway	Hartzler 123	Hegeman
Hendrickson	Hohulin	Holand	Howerton	Kasten
Kelley 47	King	Klindt	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkemeyer

1061 *Journal of the House*

Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Patek	Phillips
Pouche 30	Pryor	Purgason	Reinhart	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Summers	Tudor
Vogel	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Berkowitz	Hartzler 124	Hickey	Hosmer	Reid
Relford	Stokan	Townley		

VACANCIES: 001

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1209

and

House Resolution No. 1210 - Representative McClelland

House Resolution No. 1211 - Representative Relford

House Resolution No. 1212

through

House Resolution No. 1214 - Representative Riback Wilson (25)

House Resolution No. 1215 - Representative Boucher

House Resolution No. 1216 - Representative Richardson

House Resolution No. 1217 - Representative Barry

House Resolution No. 1218 - Representative Williams (121)

House Resolution No. 1219

through

House Resolution No. 1221 - Representative Leake

House Resolution No. 1222 - Representative Backer

House Resolution No. 1223 - Representative Monaco

House Resolution No. 1224 - Representative Kennedy

House Resolution No. 1225

through

House Resolution No. 1229 - Representative Tudor

House Resolution No. 1230

and

House Resolution No. 1231 - Representative Clayton

House Resolution No. 1232 - Representative Fitzwater

House Resolution No. 1233 - Representative Foley

**SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 36** was read the second time.

**SECOND READING OF HOUSE JOINT RESOLUTIONS**

**HJR 75** and **HJR 76** were read the second time.

**SECOND READING OF HOUSE BILLS**

**HB 2168** and **HB 2169** were read the second time.

**COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Backer reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HBs 1489, 1488 & 1650 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HS HCS HB 1811 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**HOUSE BILL WITH SENATE AMENDMENTS**

**SCS HCS HB 1109**, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1109** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**PERFECTION OF HOUSE BILL - APPROPRIATIONS**

**HB 1122, with House Committee Amendment No. 1**, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **House Committee Amendment No. 1** was adopted.

On motion of Representative Franklin, **HB 1122, as amended**, was ordered perfected and printed.

**PERFECTION OF HOUSE BILL - FEDERAL MANDATE**

**HB 1946**, relating to adoption, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HB 1946** was ordered perfected and printed.

## PERFECTION OF HOUSE BILLS

**HCS HB 1927**, relating to water pollution permit fees, was taken up by Representative Wiggins.

Representative Wiggins offered **HS HCS HB 1927**.

Representative Wiggins offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Substitute for House Committee Substitute for House Bill No. 1927, Page 33, Section 644.052, Line 19 of said page, by deleting the words “**two hundred**” and inserting in lieu thereof the words “**three hundred**” ; and

Further amend said bill, Page 33, Section 644.052, Line 21 of said page, by deleting the words “**two hundred**” and inserting in lieu thereof the words “**three hundred**” ; and

Further amend said bill, Page 34, Section 644.052, Line 15 of said page, by deleting the words “**Two hundred dollars annually**” and inserting in lieu thereof the words “**Three hundred dollars**” ; and

Further amend said bill, Page 35, Section 644.052, Lines 3 to 5 of said page, by deleting all of said lines and inserting in lieu thereof the following:

“**and persons paying fees pursuant to this subdivision who receive renewed general permits on the same facility after September 30, 2000, shall pay sixty dollars annually.**”.

On motion of Representative Wiggins, **House Amendment No. 1** was adopted.

Representative Days offered **House Amendment No. 2**.

### *House Amendment No. 2*

AMEND House Substitute for House Committee Substitute for House Bill No. 1927, Page 1, Section A, Line 18 of said page, by inserting after all of said line the following:

"249.255. 1. Should a public sewer district created and organized pursuant to constitutional or statutory authority place a lien upon a customer's property for unpaid sewer charges, the lien shall have priority as and be enforced in the same manner as taxes levied for state and county purposes.

2. Should the sewer charges of a public sewer district created and organized pursuant to constitutional or statutory authority remain unpaid for a period in excess of [one year] **three months**, the district, after notice to the customer by certified mail, shall have the authority at its discretion to disconnect the customer's sewer line from the district's line or request any private water company, public water supply district, or any municipality supplying water to the premises to discontinue service to the customer until such time as the sewer charges and all related costs of this section are paid.”; and

Further amend said bill, Page 53, Section 644.076, Line 13, by inserting after all of said line the following:

**"644.572. In addition to those sums authorized prior to August 28, 2000, the board of fund commissioners of the state of Missouri, as authorized by section 37(e) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and this chapter.**

**644.574. In addition to those sums authorized prior to August 28, 2000, the board of fund commissioners of the state of Missouri, as authorized by section 37(g) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of twenty million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter.**

**644.576. In addition to those sums authorized prior to August 28, 2000, the board of fund commissioners of the state of Missouri, as authorized by section 37(h) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of forty million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Days, **House Amendment No. 2** was adopted.

Representative Fitzwater offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Substitute for House Committee Substitute for House Bill No. 1927, Page 28, Section 644.051, Line 23, by inserting after all of said line the following:

**"13. All permit fees generated pursuant to this chapter shall not be used for the development, implementation and/or expansion of Total Maximum Daily Loads studies or restoration plans on either the Missouri or Mississippi rivers."; and**

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Fitzwater, **House Amendment No. 3** was adopted.

Representative Selby offered **House Amendment No. 4**.

Representative Wiggins raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Klindt offered **House Amendment No. 4**.

Representative Wiggins raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Gratz offered **House Amendment No. 4**.

Representative Wiggins raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Marble offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Substitute for House Committee Substitute for House Bill No. 1927, Section 644.051, Line 6, by adding after “Deny” the following: “**With Good Cause**”.

On motion of Representative Marble, **House Amendment No. 4** was adopted.

Representative Richardson offered **House Amendment No. 5.**

Representative Wiggins raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Wiggins, **HS HCS HB 1927, as amended**, was adopted.

On motion of Representative Wiggins, **HS HCS HB 1927, as amended**, was ordered perfected and printed.

**HB 1768**, relating to prosecutors, was taken up by Representative Ward.

Representative Ward offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Bill No. 1768, Page 2, Section 56.066, Line 23, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to promote justice, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ward, **House Amendment No. 1** was adopted.

Representative Shields offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Bill No. 1768, Page 2, Section 56.066, Line 19, by adding the following after period: “**The provisions of this section shall not apply to counties of the first class.**”.

On motion of Representative Shields, **House Amendment No. 2** was adopted.

Representative Patek offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Bill No. 1768, Page 1, Section 56.066, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

**"of corrections with a total average yearly inmate population in excess of four hundred persons but less than one thousand five hundred persons, the prosecuting attorney shall receive"; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Patek, **House Amendment No. 3** was adopted.

Representative Hegeman offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Bill No. 1768, Page 2, Section 56.066, Line 23, by inserting immediately after said line the following:

**"3. Subject to annual appropriation, the department of corrections shall reimburse the counties for the amount of the additional compensation. The reimbursement amounts shall be limited to the amounts stated in subsection 1 of this section and shall not include employer-paid fringe benefits. On or before the thirty-first day of January of each year, the department shall require documentation of payment from the counties of the additional compensation paid in the previous calendar year."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hegeman moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Howerton offered **House Amendment No. 5**.

Representative Parker raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Patek offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Bill No. 1768, Page 2, Section 56.066, Line 23, by inserting after said line the following:

**"56.363. 1. The county commission of any county may on its own motion and shall upon the petition of ten percent of the total number of people who voted in the previous general election in the county submit to the voters at a general or special election the proposition of making the county prosecutor a full-time position. The commission shall cause notice of the election to be published in a newspaper published within the county, or if no newspaper is published within the county, in a newspaper published in an adjoining county, for three weeks consecutively, the last insertion of which shall be at least ten days and not more than thirty days before the day of the election, and by posting printed notices thereof at three of the most public places in each township in the county. The proposition shall be put before**

the voters substantially in the following form:

Shall the office of prosecuting attorney be made a full-time position in ..... County?  
G YES G NO

If a majority of the voters voting on the proposition vote in favor of making the county prosecutor a full-time position, it shall become effective upon the date that the prosecutor who is elected at the next election subsequent to the passage of such proposal is sworn into office.

2. The provisions of subsection 1 of this section notwithstanding, in any county where the proposition of making the county prosecutor a full-time position was submitted to the voters at a general election in 1998 and where a majority of the voters voting on the proposition voted in favor of making the county prosecutor a full-time position, the proposition shall become effective on May 1, 1999. Any prosecuting attorney whose position becomes full time on May 1, 1999, under the provisions of this subsection shall have the additional duty of providing not less than three hours of continuing education to peace officers in the county served by the prosecuting attorney in each year of the term beginning January 1, 1999.

**3. The state shall provide one-half of the difference between the salary the prosecutor would make as a part-time prosecutor and the salary the prosecutor makes as a full-time prosecutor for any prosecutor that is made a full-time prosecutor pursuant to this section between August 28, 2000, and August 28, 2001.";** and

Further amend the title and enacting clause accordingly.

Representative Parker raised a point of order that **House Amendment No. 5** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Patek moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

On motion of Representative Ward, **HB 1768, as amended**, was ordered perfected and printed.

**HB 1712**, relating to regional child assessment centers, was placed on the Informal Calendar.

#### PERFECTION OF HOUSE BILL - INFORMAL

**HB 1728, with House Amendment No. 3, HS, as amended, and House Committee Amendment No. 1, pending**, relating to state purchasing, was taken up by Representative Backer.

**House Amendment No. 3** was withdrawn.

Representative Loudon offered **House Amendment No. 3**.

#### *House Amendment No. 3*

AMEND House Substitute for House Bill No. 1728, Page 10, Section 37.020, Line 9, by adding after the word "minority" the words "**or disadvantaged**"; and



Further amend said section, Line 10, by adding after the word “reports” the following:

**“including but not limited to all state government entities, the Missouri Department of Transportation and the Bi-State Development Agency”;** and

Further amend said subsection, by adding after said line the following:

**“Such reports shall include:**

- a) the percentage of minority or disadvantaged business enterprise participation by project**
- b) the dollar amount paid to minority or disadvantaged business enterprises by project**
- c) the number of minority and female workers by project”;** and

Further amend said section, Line 12, by adding after the word “minority” the word **“disadvantaged”**.

Representative Loudon moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Akin	Alter	Ballard	Barnett	Bartelsmeyer
Bartle	Bennett	Berkstresser	Blunt	Boatright
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gibbons	Griesheimer	Gross	Hanaway	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Holand
Howerton	Kasten	Kelley 47	King	Klindt
Legan	Levin	Linton	Loudon	Luetkemeyer
Marble	McClelland	Miller	Murphy	Myers
Naeger	Nordwald	Ostmann	Phillips	Pouche 30
Purgason	Reinhart	Ridgeway	Robirds	Sallee
Schwab	Scott	Secrest	Shields	Summers
Surface	Tudor	Vogel	Wright	

NOES: 078

Abel	Auer	Backer	Barry 100	Black
Bonner	Boucher 48	Boykins	Bray 84	Britt
Brooks	Campbell	Clayton	Crump	Curls
Davis 122	Davis 63	Days	Dougherty	Farnen
Fitzwater	Foley	Ford	Franklin	Fraser
Gambaro	Graham 24	Gratz	Gunn	Hagan-Harrell
Hampton	Harlan	Hilgemann	Hollingsworth	Hoppe
Kelly 27	Kennedy	Kissell	Koller	Kreider
Lawson	Liese	May 108	Mays 50	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Reynolds	Riley	Rizzo	Ross	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Troupe	Van Zandt
Wagner	Ward	Wiggins	Williams 121	Williams 159
Wilson 25	Wilson 42	Mr. Speaker		

PRESENT: 001

Reid

ABSENT WITH LEAVE: 019

Berkowitz	Burton	Gaskill	George	Graham 106
Green	Hickey	Hosmer	Lakin	Leake

Lograsso  
RelfordLong  
RichardsonLuetkenhaus  
StokanPatek  
Townley

Pryor

VACANCIES: 001

**Representative Boucher offered House Amendment No. 4.***House Amendment No. 4*

AMEND House Substitute for House Bill No. 1728, Page 7, Section 37.020, Line 1 of said section, by inserting immediately before said line the following:

“[34.165. 1. In making purchases for this state, its governmental agencies or political subdivisions, the commissioner of administration shall give a bidding preference consisting of a five-point bonus on bids for products and services manufactured, produced or assembled in qualified nonprofit organizations for the blind established pursuant to the provisions of 41 U.S.C. sections 46 to 48c, as amended and in sheltered workshops holding a certificate of approval from the department of elementary and secondary education pursuant to section 178.920, RSMo.

2. The commissioner of administration shall make such rules and regulations regarding specifications, quality standards, time of delivery, performance and other relevant matters as shall be necessary to carry out the purpose of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

3. At the request of the commissioner of administration, the state auditor may examine all records, books and data of any qualified nonprofit organization for the blind to determine the costs of manufacturing products or rendering services and the manner and efficiency of production and administration of such nonprofit organization with relation to any product or services purchased by this state, its governmental agencies or political subdivisions and to furnish the results of such examination to the commissioner for appropriate action.]

**34.166. As used in sections 34.166 to 34.169, the following terms mean:**

(1) "Blind assistance facility", a qualified nonprofit organization for the blind established pursuant to the provisions of 41 U.S.C. sections 46 to 48c, as amended, or a sheltered workshop holding a certificate of approval from the department of elementary and secondary education pursuant to section 178.920, RSMo;

(2) "Commissioner", the commissioner of administration;

(3) "Missouri bureau of the blind projects", workshops and home industry projects for blind or other handicapped persons which are located in this state and which are supported, operated or supervised by the bureau of the blind in the division of family services, which is hereby authorized to operate such programs;

(4) "State agency", any state office or officer, department, board, commission, bureau or agency, or any division or unit within any such entity, or any other state authority whatsoever.

**34.167. 1.** The commissioner shall determine fair market prices of products manufactured, processed, and offered for sale and of services offered pursuant to sections 34.166 to 34.169, by each Missouri bureau of the blind project and by each blind assistance facility. All of the products and services shall be standard conforming. Those products and services offered for purchase by or for a state agency shall meet specifications required by the commissioner. Those products offered for purchase by or for a school district shall meet specifications required by the school board of such school district. The commissioner shall revise the prices determined pursuant to this section from time to time in accordance with changing market conditions.

2. At the request of the commissioner, the state auditor may examine all records, books and data of any blind assistance facility to determine the costs of manufacturing products or rendering services and the manner and efficiency of production and administration of such facility with relation to any product or services purchased by any state agency or any political subdivision of this state and to furnish the results of such examination to the commissioner for appropriate action.

3. Each blind assistance facility shall cooperate with and shall provide the commissioner and the director of the division of family services with all information necessary for the administration of sections 34.166 to 34.169.

4. The provisions of sections 34.166 to 34.169 shall apply only to products manufactured or processed in this state or services provided in this state by blind or other handicapped persons.

5. The provisions of sections 34.166 to 34.169 shall not be construed to require a school district to

purchase services offered by blind or other handicapped persons pursuant to sections 34.166 to 34.169.

**34.168. 1.** The director of the division of family services, with the advice of the bureau of the blind, shall furnish to the office of administration, and to each person or officer authorized to purchase materials, services and supplies for any state agency or school district, a list of products manufactured, processed and offered for sale and of services offered pursuant to section 34.166 to 34.169 by Missouri bureau of the blind projects and by blind assistance facilities.

**2.** The list of products and services shall be certified by the commissioner. The director of the division of family services, with the advice of the bureau of the blind, shall amend such list from time to time in accordance with the recommendations of the commissioner.

**3.** The director of the division of family services, with the advice of the bureau of the blind, may charge a reasonable publication fee to those blind assistance facilities which advertise their products or services on such lists. The director of the division of family services shall remit all moneys received pursuant to this section to the state treasurer on a monthly basis.

**34.169. 1.** The commissioner and any person or officer authorized to purchase materials and supplies for any state agency or school district or to purchase services for any state agency shall purchase, except as otherwise provided in this section, the products and services on the list certified by the commissioner from Missouri bureau of the blind projects or from blind assistance facilities, when those products are to be procured by or for the state or school district or when those services are to be procured by or for the state. Services offered for purchase are not required to be purchased by a school district.

**2.** Whenever Missouri bureau of the blind projects and blind assistance facilities are unable to supply the products or services needed or are unable to meet delivery requirements on any order or requisition, a written waiver shall immediately be forwarded to the commissioner or to the purchasing officer of the school district by the director of the division of family services or the director's designee and that waiver shall relieve and exempt the state or school district purchasing authority from the mandatory provisions of sections 34.166 to 34.169 in the case of the specific order, request or requisition. Such order, request or requisition shall then proceed as otherwise provided by law.”; and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Boucher, **House Amendment No. 4** was adopted.

On motion of Representative Backer, **HS HB 1728, as amended**, was adopted.

On motion of Representative Backer, **HS HB 1728, as amended**, was ordered perfected and printed.

## **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SJR 31**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri relating to term limits, and adopting two new sections in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 830**, entitled:

An act to repeal section 211.073, RSMo Supp. 1999, relating to juveniles, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 892**, entitled:

An act to repeal section 221.120, RSMo Supp. 1999, relating to medical expenses of prisoners, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1110**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health, and the several divisions and programs thereof and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2000 and ending June 30, 2001.

With Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5 and Senate Amendment No. 6.

*Senate Amendment No. 3*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1110, Pages 13-14, Section 10.415, Line 16, by inserting a line to read:

**“For the purpose of funding autistic services through the St. Louis Regional Center \$350,000 General Revenue”;**  
and

Further amend said section, Line 27, by deleting the number “\$113,881,177” and inserting in lieu thereof the number **“\$114,231,177”**.

*Senate Amendment No. 4*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1110, Page 20, Section 10.600, Line 3, by inserting immediately after the word “support” the following:

**“provided that no state funds shall be used to compensate legal counsel, hire attorneys, or for legal consulting”;**  
and

Further amend said section, by deleting the number “\$2,252,778” and inserting in lieu thereof the number **“\$2,219,329”**; and

Further amend said section, Line 6, by deleting the number “\$2,728,047” and inserting in lieu thereof the number **“\$2,694,598”**; and

Further amend said section, Line 10, by deleting said line and inserting in lieu thereof the following:

**“Total (Not to exceed 86.20 FTE) ..... \$4,240,614”;**  
and

Further amend said bill, Section 10.655, Line 3, by inserting immediately after the word “support” the following:

**“provided that no state funds shall be used to compensate legal counsel, hire attorneys, or for legal consulting”;**  
and

Further amend said bill, Section 10.760, Line 4, by deleting the number “\$2,950,369” and inserting in lieu thereof the number “**\$2,895,805**”; and

Further amend said section, Line 6, by deleting the number “\$3,470,834” and inserting in lieu thereof the number **”\$3,416,270”**; and

Further amend said section, Line 26, by deleting said line and inserting in lieu thereof the following:

**“Total (Not to exceed 257.51 FTE ..... \$11,658,463”.**

*Senate Amendment No. 5*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1110, Page 32, Section 10.710, Line 154, by striking out the number “\$5,418,639” and inserting in lieu thereof the number “**\$5,268,639**”; and

Further amend said section, Line 156, by striking the number “\$6,883,458” and inserting in lieu thereof the number “**\$6,733,458**”; and

Further amend said bill, Page 33, Section 10.715, Line 35, by striking the number “\$1,000,000” and inserting in lieu thereof the number “**\$1,150,000**”.

*Senate Amendment No. 6*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1110, Page 18, Section 10.565, Line 5, by deleting the number “\$177,862” and inserting in lieu thereof the number “**\$145,189**”; and

Further amend said section, Line 9, by deleting the number “\$1,608,925” and inserting in lieu thereof the number “**\$1,576,252**”; and

Further amend said bill, Section 10.570, Line 6, by deleting the number “\$23,237,224” and inserting in lieu thereof the number “**\$22,974,976**”; and

Further amend said section, Line 8, by deleting the number “\$24,341,905” and inserting in lieu thereof the number “**\$24,079,657**”; and

Further amend said bill, Section 10.575, Line 6, by deleting the number “\$10,803,983” and inserting in lieu thereof the number “**\$10,659,835**”; and

Further amend said section, Line 12, by deleting the number “\$13,584,460” and inserting in lieu thereof the number “**\$13,440,312**”; and

Further amend said bill, Section 10.580, Line 6, by deleting the number “\$22,601,046” and inserting in lieu thereof the number “**\$22,337,001**”; and

Further amend said section, Line 8, by deleting the number “\$24,190,563” and inserting in lieu thereof the number “**\$23,926,518**”; and

Further amend said bill, Section 10.585, Line 6, by deleting the number “\$10,542,465” and inserting in lieu thereof the number “**\$10,437,708**”; and

Further amend said bill, Section 10.590, Line 7, by deleting the number “\$18,396,133” and inserting in lieu thereof the number “**\$18,182,847**”; and

Further amend said section, Line 9, by deleting the number “\$18,889,117” and inserting in lieu thereof the number “**\$18,675,831**”; and

Further amend said bill, Section 10.595, Line 6, by deleting the number “\$6,080,368” and inserting in lieu thereof the number “**\$6,001,525**”; and

Further amend said section, Line 8, by deleting the number “\$6,136,366” and inserting in lieu thereof the number “**\$6,057,523**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1111**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2000 and ending June 30, 2001.

With Senate Amendment No. 3, Senate Amendment No. 3 to Senate Substitute Amendment No. 1 for Senate Amendment No. 5, Senate Substitute Amendment No. 1 for Senate Amendment No. 5, as amended, Senate Amendment No. 6, and Senate Amendment No. 7.

*Senate Amendment No. 3*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1111, Page 18, Section 11.255, Line 3, by inserting after the word “Communities” the following:

**“provided that funds appropriated within this section only be provided to organizations whose voting members are Missouri residents.”; and**

Further amend said section, Line 5, by inserting after the word “payments” the following:

**“provided that funds appropriated within this section only be provided to organizations whose voting members are Missouri residents.”; and**

Further amend said section, Line 7, by inserting after the word “payments” the following:

**“provided that funds appropriated within this section only be provided to organizations whose voting members are Missouri residents.”.**

*Senate Amendment No. 3  
to  
Senate Substitute Amendment No. 1  
for  
Senate Amendment No. 5*

AMEND Senate Substitute Amendment No. 1 for Senate Amendment No. 5 to Senate Committee Substitute for House Committee Substitute for House Bill No. 1111, by deleting Lines 7-10 and inserting in lieu thereof the following new lines:

<b>“From General Revenue Fund</b>	<b>\$141,000,000</b>
<b>From Federal Funds</b>	<b>\$311,402,068</b>
<b>From Uncompensated Care Fund</b>	<b>\$35,600,000</b>
<b>From Tobacco Settlement Proceeds</b>	<b>\$22,000,000</b>
<b>Total (O.F.T.E.)</b>	<b>\$700,270,915”.</b>

*Senate Substitute Amendment No. 1  
for  
Senate Amendment No. 5*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1111, Pages 24 and 25, Section 11.445, Lines 32 through 39, by deleting all of said lines and inserting in lieu thereof the following:

**“For the purpose of funding per diem care in nursing facilities at the highest level possible within appropriations based upon the 1998 audited cost reports as reported by the Division of Medical Services, Program for All-Inclusive Care for the Elderly, or other long-term care services under the Medicaid fee-for-service and managed care programs.**

<b>From General Revenue Fund</b>	<b>\$163,000,000</b>
<b>From Federal Funds</b>	<b>\$311,402,068</b>
<b>From Uncompensated Care Fund</b>	<b>\$35,600,000</b>
<b>Total (O F.T.E.)</b>	<b>\$700,270,915”.</b>

*Senate Amendment No. 6*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1111, Page 17, Section 11.235, Line 41, by inserting the following new section after “\$110,221,676”:

**“Section 11.236. To the Department of Social Services for the Division of Family Services for the purpose of funding enhanced foster care program payments. From General Revenue Fund \$1,500,000”; and**

Further amend said bill, Section 11.415, Page 22, Line 5, by deleting “\$1,970,000” and inserting in lieu thereof “**\$470,000**”; and

Further amend said section, Line 7, by deleting “\$3,940,52” and inserting in lieu thereof “**\$2,440,527**”; and

Further amend said section, by inserting immediately after Section 11.525, Page 30, Line 12, the following new section:

**“Section 11.530. To the Department of Social Services for the Purpose of funding following medicaid outreach activities: Contractor payments associated with managed care eligibility and enrollment of medicaid recipients  
From federal funds \$1,500,000”.**

*Senate Amendment No. 7*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1111, Page 1, Section 11.005, Line 3, by inserting immediately after the word “Director” the following:

**“provided that the rate of fees are increased for all providers not to exceed the same rate increase as received by the nursing home industry”.**

**HOUSE BILLS WITH SENATE AMENDMENTS**

**SCS HCS HB 1110, as amended**, relating to appropriations, was taken up by Representative Franklin.

Representative Merideth assumed the Chair.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1110, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 1111, as amended**, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin moved that the House refuse to adopt **SCS HCS HB 1111, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Speaker Gaw resumed the Chair.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SS#3 SJR 35**, entitled:

An act submitting to the qualified voters of Missouri, and amendment repealing section 3 of article XIII of the Constitution of Missouri relating to the Missouri citizens’ commission on the compensation for elected officials, and adopting one new section in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 851**, entitled:



An act to repeal sections 513.605, 513.607, 513.647 and 513.653, RSMo 1994, relating to the criminal activity forfeiture act, and to enact in lieu thereof four new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 793**, entitled:

An act to amend chapter 302, RSMo, by adding thereto one new section relating to motor vehicles.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 954**, entitled:

An act to amend chapter 620, RSMo, by adding thereto two new sections relating to cultural tourism.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 1027 & 815**, entitled:

An act to repeal section 192.070, RSMo 1994, and sections 167.181 and 332.311, RSMo Supp. 1999, relating to dental care, and to enact in lieu thereof five new sections relating to the same subject, with a termination date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1109** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1110, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1111, as amended**, and grants the House a conference thereon.

### **APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

**SCS HCS HB 1109:** Representatives Franklin, Kelly (27), Troupe, Legan and Crawford

**SCS HCS HB 1110:** Representatives Franklin, Williams (121), Riback Wilson (25), Shields and Patek

### **MESSAGES FROM THE SENATE**

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1109**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1110, as amended**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1111, as amended**: Senators Goode, Maxwell, Wiggins, Russell and Westfall.

### **SUPPLEMENTAL CALENDAR**

April 25, 2000

### **SENATE BILLS FOR THIRD READING**

- 1 SB 810 - Gunn
- 2 HCS SCS SB 719 - Hoppe
- 3 HCS SS SB 813 - Kissell
- 4 HCS SCS SB 721 - Boucher
- 5 HCS SB 881 - Hoppe
- 6 HCS SB 856 - Harlan

### **INTRODUCTION OF HOUSE BILL**

The following House Bill was read the first time and copies ordered printed:

**HB 2170**, introduced by Representative Gaskill, relating to compulsory ages for school attendance.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Leake is no longer a member of the Tourism, Recreation and Cultural Affairs Committee.

Representative Lakin is no longer a member of the Local Government and Related Matters Committee.

Representative Parker is no longer a member of the Appropriations - Social Services and Corrections Committee.

Representative Brooks has been appointed a member of the Appropriations - Social Services and Corrections Committee, Local Government and Related Matters Committee, Tourism, Recreation and Cultural Affairs Committee, and Urban Affairs Committee.

### **ADJOURNMENT**

On motion of Representative Crump, the House adjourned until 10:00 a.m., Wednesday, April 26, 2000.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Fifty-eighth Day, Thursday, April 20, 2000, page 1052, line 25, by deleting the words **“SCS HCS HB 1104, as amended,”** and inserting in lieu thereof the words **“SCS HCS HB 1104,”**.

Page 1051, Line 27, by deleting the words **“Do Pass.”** and inserting in lieu thereof the following: **“Do Pass with House Committee Amendment No. 1.”**

#### *House Committee Amendment No. 1*

AMEND House Resolution No. 573, Page 1, Paragraph 5, Line 4, by striking the words “and one independent member”.

Pages 1036 and 1037, roll call, by showing Representative Wilson (42) voting "aye" rather than "absent with leave".

Pages 1037 and 1038, roll call, by showing Representative Levin voting "aye" rather than "absent with leave".

Pages 1041 and 1042, roll call, by showing Representative Champion voting "no" rather than "absent with leave".

Pages 1043 and 1044, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 1045, roll call, by showing Representative Reynolds voting "aye" rather than "absent with leave".

Page 1046, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 1048, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

## **COMMITTEE MEETINGS**

### **ACCOUNTS, OPERATIONS, AND FINANCE**

Wednesday, April 26, 2000. Room 414 upon morning adjournment.

### **BANKS AND FINANCIAL INSTITUTIONS**

Wednesday, April 26, 2000. Hearing Room 3 upon morning adjournment.

Executive Session will follow.

To be considered - SB 804

### **CHILDREN, YOUTH AND FAMILIES**

Wednesday, April 26, 2000, 9:00 am. Hearing Room 4.

Continuation of Executive Session.

To be considered - SB 597

### **CIVIL AND ADMINISTRATIVE LAW**

Wednesday, April 26, 2000. Hearing Room 1 upon morning adjournment.

Executive Session.

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Wednesday, April 26, 2000, 8:00 am. Senate Committee Rooms 2 and 3.

To be considered - HB 1102, HB 1103, HB 1104, HB 1105, HB 1106, HB 1107, HB 1108, HB 1109, HB 1110, HB 1111

### **EDUCATION - HIGHER**

Wednesday, April 26, 2000. Hearing Room 5 upon morning adjournment.

To be considered - SB 1066

### **ENVIRONMENT AND ENERGY**

Wednesday, April 26, 2000. Hearing Room 5 upon afternoon adjournment.

Executive Session. AMENDED.

### **MISCELLANEOUS BILLS AND RESOLUTIONS**

Wednesday, April 26, 2000. Side gallery upon morning adjournment.

Executive Session may follow.

To be considered - HR 295

### **PUBLIC SAFETY AND LAW ENFORCEMENT**

Thursday, April 27, 2000, 9:30 am. Side gallery.

Executive Session.

### **TRANSPORTATION**

Wednesday, April 26, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - SB 610, SB 683

**HOUSE CALENDAR**

SIXTIETH DAY, WEDNESDAY, APRIL 26, 2000

**HOUSE BILL FOR SECOND READING**

HB 2170

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HJR 40, as amended, HA 3, pending - Graham (24)
- 2 HJR 42 - Williams (121)
- 3 HJR 45, HCA 1 - Scheve

**HOUSE BILL FOR PERFECTION - APPROPRIATIONS**

HCS HB 1120 - Franklin

**HOUSE BILLS FOR PERFECTION**

- 1 HB 2011 - Overschmidt
- 2 HCS HB 1747 - Barry
- 3 HCS HB 1888 - Wilson (42)
- 4 HB 2102 - Hampton
- 5 HB 1066, HCA 1 - Riback Wilson (25)
- 6 HB 1394 - Murray
- 7 HB 1159 - Boucher
- 8 HB 1280 - Clayton
- 9 HB 1502 - Smith
- 10 HCS HB 1547 - Scheve
- 11 HCS HB 1962, 1943, 1425 & 1419 - Dougherty
- 12 HB 1546 - Smith
- 13 HCS HB 1606 - Bray
- 14 HCS HB 1225 - Hosmer
- 15 HCS HB 1540 - Green
- 16 HCS HB 1942 - Liese
- 17 HCS HB 1578 - Shelton
- 18 HB 2056 - Gunn
- 19 HCS HB 1718 - Smith
- 20 HCS HB 1966 - Hosmer
- 21 HCS HB 1997 - Smith
- 22 HCS HB 1336 - Lakin
- 23 HCS HB 1780 - Liese
- 24 HCS HB 1816 - Hosmer
- 25 HCS HB 1357 - Bonner
- 26 HB 1872 - Seigfreid
- 27 HCS HB 1674 - Graham (24)
- 28 HCS HB 1154 - Boucher
- 29 HCS HB 2114 - Hoppe

30 HCS HB 1649 - Williams (121)

31 HB 1216 - Kelly (27)

**HOUSE BILLS FOR PERFECTION - INFORMAL**

1 HCS HB 1362, HS, as amended, pending - Harlan

2 HCS HB 1602, as amended - Leake

3 HCS HB 1143, as amended - Scheve

4 HCS HB 1932 - Harlan

5 HB 1712 - McKenna

**HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING**

1 HCR 29, (4-13-00, pg. 951) - Graham (24)

2 HCR 23, (3-16-00, pg. 646) - Bray

3 HCR 4, (2-24-00, pg. 399) - Kennedy

4 HCR 22, (4-17-00, pg. 970) - Liese

5 HCR 27, (4-13-00, pg. 951) - Ross

6 HCR 28, (4-11-00, pg. 916) - Van Zandt

**HOUSE BILLS FOR THIRD READING**

1 HS HCS HB 1489, 1488 & 1650 - Kennedy

2 HS HCS HB 1811 - Kreider

3 HCS HB 1961 - Fraser

**HOUSE BILLS FOR THIRD READING - CONSENT**

1 HB 1828 - Gross

2 HB 1095 - Richardson

3 HB 1358 - Loudon

4 HB 1275 - Chrismer

**SENATE JOINT RESOLUTIONS FOR SECOND READING**

1 SS SJR 31

2 SS SS#3 SJR 35

**SENATE BILLS FOR SECOND READING**

1 SCS SB 793

2 SB 830

3 SB 851

4 SB 892

5 SCS SB 954

6 SCS SB 1027 & 815

**SENATE BILLS FOR THIRD READING**

- 1 SB 810 - Gunn
- 2 HCS SCS SB 719 - Hoppe
- 3 HCS SS SB 813 - Kissell
- 4 HCS SCS SB 721 - Boucher
- 5 HCS SB 881 - Hoppe
- 6 HCS SB 856 - Harlan

**SENATE BILL FOR THIRD READING - INFORMAL**

HS HCS SS SB 549, as amended, E.C. - Van Zandt

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 1102, as amended - Franklin
- 2 SCS HCS HB 1103, as amended - Franklin
- 3 SCS HCS HB 1104 - Franklin
- 4 SCS HCS HB 1105, as amended - Franklin
- 5 SCS HCS HB 1106, as amended - Franklin
- 6 SCS HCS HB 1107, as amended - Franklin
- 7 SCS HCS HB 1108 - Franklin
- 8 SCS HCS HB 1109 - Franklin
- 9 SCS HCS HB 1110, as amended - Franklin
- 10 SCS HCS HB 1111, as amended - Franklin

**HOUSE RESOLUTION**

HR 91, (2-24-00, pgs. 397 & 398) - Crawford